

IC 3-7-34

Chapter 34. Registration Forms; Special Procedures for Processing Incomplete or Incorrectly Filed Applications

IC 3-7-34-1

Applicability of chapter

Sec. 1. This chapter applies when a county voter registration office receives a registration form that is not properly completed under:

(1) IC 3-7 or 42 U.S.C. 15483; or

(2) is filed in an incorrect county.

As added by P.L.12-1995, SEC.44. Amended by P.L.209-2003, SEC.53; P.L.81-2005, SEC.19.

IC 3-7-34-1.7

"Registration form"

Sec. 1.7. As used in this chapter, "registration form" includes an application for registration or a request to transfer the voter's registration to another address.

As added by P.L.81-2005, SEC.20.

IC 3-7-34-2

Duties of clerk or board where registration incomplete

Sec. 2. (a) This section applies when a county voter registration office receives a registration form that is not fully and properly completed so that the county voter registration office can determine if the applicant is eligible to register under this article or fails to answer either of the questions set forth in IC 3-7-22-5(3) or IC 3-7-22-5(4).

(b) As required by 42 U.S.C. 15483, the county voter registration office shall promptly make:

(1) one (1) effort to contact the voter by mail if possible; and

(2) one (1) effort to contact the voter by telephone if a telephone number is listed.

As added by P.L.12-1995, SEC.44. Amended by P.L.209-2003, SEC.54; P.L.81-2005, SEC.21.

IC 3-7-34-3

Processing incomplete voter registration application

Sec. 3. (a) This subsection applies to a registration form that is incomplete as a result of the failure of the applicant to answer either of the questions set forth in IC 3-7-22-5(3) or IC 3-7-22-5(4). If the county voter registration office obtains a written statement from the applicant:

(1) answering either or both of the questions that were not answered on the original form; and

(2) not later than the twenty-ninth day before the date of the next election following the date the form was filed;

the county voter registration office shall process the form under this article.

(b) This subsection applies to a registration application that is incomplete for a reason other than the failure of the applicant to answer either of the questions set forth in IC 3-7-22-5(3) or IC 3-7-22-5(4). If the county voter registration office obtains information under section 2(b)(1) of this chapter that permits the county voter registration office to complete the registration form, the county voter registration office shall process the form under this article. If the county voter registration office obtains information under section 2(b)(2) of this chapter from the voter that permits the county voter registration office to complete the registration form, the county voter registration office shall document the information and process the form under this article.

As added by P.L.12-1995, SEC.44. Amended by P.L.209-2003, SEC.55; P.L.81-2005, SEC.22.

IC 3-7-34-4

Certification of incomplete forms to board; rejection

Sec. 4. Not later than the date the county is required to prepare a certified list of voters under IC 3-7-29-1, the county voter registration office shall certify to the county election board a list of the registration forms that remain incomplete after the effort made under section 2 of this chapter and that do not permit the county voter registration office to determine if the applicant is eligible to register under this article. Upon certification, the county voter registration office shall reject the applications.

As added by P.L.12-1995, SEC.44. Amended by P.L.81-2005, SEC.23.

IC 3-7-34-5

Effort to be made to obtain missing information

Sec. 5. (a) If a registration form contains all of the information required to be supplied by the voter, but does not include the information required to be supplied by the bureau of motor vehicles commission or a voter registration agency, the county voter registration office shall promptly make one (1) effort to contact the officer, commission, or agency to obtain the information.

(b) This subsection applies after December 31, 2005. If the information is not obtained from the officer, commission, or agency under subsection (a) not later than seven (7) days after the county voter registration office provides the notice, the county voter registration office shall notify the NVRA official. The NVRA official shall contact the officer, commission, or agency to request that the information be provided to the county voter registration office or that the officer, commission, or agency file a statement with the county voter registration office indicating why the information is not available.

As added by P.L.12-1995, SEC.44. Amended by P.L.2-1996, SEC.63; P.L.209-2003, SEC.56.

IC 3-7-34-6

Processing of forms

Sec. 6. If the county voter registration office obtains the information under section 5 of this chapter required to complete the form, the county voter registration office shall process the form under this article. If the county voter registration office cannot obtain the information under section 5 of this chapter and the form is otherwise complete, the county voter registration office shall process the form under this chapter.

As added by P.L.12-1995, SEC.44. Amended by P.L.81-2005, SEC.24.

IC 3-7-34-7 Version a

Certification to board of processed incomplete forms; notice to supply omitted information

Note: This version of section effective until 1-1-2006. See also following version of this section, effective 1-1-2006.

Sec. 7. (a) The circuit court clerk or board of registration shall certify to the county election board a list of the registration forms that have been processed under section 6 of this chapter but do not contain information required to be supplied by the bureau of motor vehicles commission or a voter registration agency.

(b) The county election board shall notify the commission or agency by United States first class mail that the commission or agency is required to supply the omitted information not later than thirty (30) days after the date of the letter.

As added by P.L.12-1995, SEC.44. Amended by P.L.2-1996, SEC.64.

IC 3-7-34-7 Version b

Certification of processed incomplete forms; notice to supply omitted information

Note: This version of section effective 1-1-2006. See also preceding version of this section, effective until 1-1-2006.

Sec. 7. (a) The county voter registration office shall certify to the NVRA official on an expedited basis a list of the registration forms that have been processed under section 6 of this chapter but do not contain information required to be supplied by the bureau of motor vehicles commission or a voter registration agency.

(b) The NVRA official shall notify the commission or agency that the commission or agency is required to supply the omitted information on an expedited basis to the county voter registration office following receipt of notice from the NVRA official.

As added by P.L.12-1995, SEC.44. Amended by P.L.2-1996, SEC.64; P.L.81-2005, SEC.25.

IC 3-7-34-8

Notice of noncompliance

Sec. 8. The county election board shall notify the NVRA official if an officer, a commission, or an agency does not comply with section 7 of this chapter.

As added by P.L.12-1995, SEC.44. Amended by P.L.2-1996, SEC.65.

IC 3-7-34-9 Version a

Forwarding forms to proper county

Note: This version of section effective until 1-1-2006. See also following version of this section, effective 1-1-2006.

Sec. 9. (a) This section applies when a circuit court clerk or board of registration receives a registration form for a voter whose address is:

- (1) located in Indiana; and
- (2) not located in the county where the office of the clerk or board is located.

(b) The clerk or board shall promptly deliver or mail the registration form described in subsection (a) to the clerk or board of the county in which the voter resides.

(c) The clerk or board of the county in which the voter resides shall process the registration form and register the voter under this article.

As added by P.L.12-1995, SEC.44. Amended by P.L.2-1996, SEC.66.

IC 3-7-34-9 Version b

Forwarding forms to proper county

Note: This version of section effective 1-1-2006. See also preceding version of this section, effective until 1-1-2006.

Sec. 9. (a) This section applies when a county voter registration office receives a registration form for a voter whose address is:

- (1) located in Indiana; and
- (2) not located in the county where the county voter registration office is located.

(b) The county voter registration office shall deliver or mail the registration form described in subsection (a) on an expedited basis to the county voter registration office of the county in which the voter resides. To comply with this subsection, the county voter registration office may forward an optically scanned image of the voter registration form to the county voter registration office of the county in which the voter resides and subsequently forward the original copy of the form to the county voter registration office.

(c) The county voter registration office of the county in which the voter resides shall process the registration form and register the voter under this article if the registration:

- (1) was received by the original county voter registration office or accepted by the bureau of motor vehicles or a voter registration agency during the registration period specified under IC 3-7-13-10; or
- (2) is a registration by mail form received in compliance with IC 3-7-33-4.

As added by P.L.12-1995, SEC.44. Amended by P.L.2-1996, SEC.66; P.L.81-2005, SEC.26.

IC 3-7-34-10 Version a

Election division to forward forms to clerk or county board

Note: This version of section effective until 1-1-2006. See also

following version of this section, effective 1-1-2006.

Sec. 10. Whenever the election division receives a registration form or authorization to cancel a registration for a resident of a county in Indiana, the election division shall promptly forward the form or cancellation to the circuit court clerk or board of registration of the county.

As added by P.L.12-1995, SEC.44. Amended by P.L.2-1996, SEC.67; P.L.3-1997, SEC.94.

IC 3-7-34-10 Version b

Election division to forward forms to county voter registration office

Note: This version of section effective 1-1-2006. See also preceding version of this section, effective until 1-1-2006.

Sec. 10. Whenever the election division receives authorization to cancel a registration for a resident of a county in Indiana, the election division shall forward the cancellation on an expedited basis to the county voter registration office. To comply with this section, the election division may forward an optically scanned image of the cancellation to the county voter registration office and subsequently forward the original copy of the cancellation to the county voter registration office.

As added by P.L.12-1995, SEC.44. Amended by P.L.2-1996, SEC.67; P.L.3-1997, SEC.94; P.L.81-2005, SEC.27.

IC 3-7-34-11

Clerk to forward forms to county board

Sec. 11. (a) This section applies to a county with a board of registration.

(b) If the circuit court clerk receives a registration form for a resident of the county, the clerk shall promptly forward the form to the board of registration.

As added by P.L.12-1995, SEC.44.

IC 3-7-34-12

Reproduction of incompatible forms

Sec. 12. (a) This subsection applies before January 1, 2006. If the registration form is not compatible with the county's voter registration system, the county voter registration office may reproduce the form for the county's system and retain the original form to document the registration.

(b) This subsection applies after December 31, 2005. If the registration form is not compatible with the county's voter registration files of original voter registration affidavits, the county voter registration office may reproduce the form for the county's system and retain the original form to document the registration.

As added by P.L.12-1995, SEC.44. Amended by P.L.209-2003, SEC.57.

IC 3-7-34-13

Forms received after preparation of list

Sec. 13. (a) If a registration form complies with section 9(c) of this chapter and is received after the certified list has been prepared under IC 3-7-29, the county voter registration office shall:

- (1) process the form in accordance with IC 3-7-33-5; and
- (2) if the registration application is approved, issue a certificate of error under IC 3-7-48.

(b) If a registration form does not comply with section 9(c) of this chapter, the county voter registration office shall process the form in accordance with IC 3-7-13-12.

As added by P.L.12-1995, SEC.44. Amended by P.L.81-2005, SEC.28.